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Held at Headquarters, New York, on Monday, 17 October 2016, at 3 p.m.

Chair: Ms. Mejía Vélez ..... (Colombia)

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The meeting was called to order at 3 p.m.

Agenda item 65: Rights of indigenous peoples (continued) (A/71/228 and A/71/229)

(a) Rights of indigenous peoples (*continued*)

(b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples (*continued*)

1. **Mr. Yaremenko** (Ukraine) said that his country recognized the Crimean Tatars as an indigenous people within the sovereign and independent Ukraine, and the Mejlis as the executive body of the Kurultai, the highest representative body of the Crimean Tatar people, whose inherent right to self-determination was guaranteed by Ukraine. The Deputy Chairman of the Mejlis, Ilmi Umerov, had recently been illegally detained by the Russian occupying force and deprived of his life-essential medications on a charge of separatism for publically denying that Crimea was part of Russia, a statement fully compliant with General Assembly resolution 68/262. In October 2016, five Crimean Tatar community activists and citizens had been unlawfully detained and arrested.

2. The number of Crimean Tatars living in Ukraine had fallen from 270,000 in 2013 to 229,000 as of that date as a direct result of their deliberate displacement. In April 2016, the Supreme Court of Crimea had declared the Mejlis an extremist organization and banned its activities, a ruling upheld by the Supreme Court of the Russian Federation in September 2016. Ukraine considered such acts to be a manifestation of racial discrimination and blatant violation of international law. Since its recent occupation of Ukrainian Crimea, the Russian Federation had deliberately and systematically violated human rights and restricted freedoms there.

3. **Ms. Bellout** (Algeria) said that indigenous peoples should enjoy all rights enshrined in international instruments, with local and national adaptation to each country's historical development and social and political conditions. The Government was committed to promoting all dimensions of the Amazigh, the main ethnicity of the Algerian people, which was enshrined in the Algerian Constitution together with Islam and Arabism as fundamental components of Algerian identity. The Tamazight language of the Amazigh was an official national language under the constitution. A High Commission for the Amazigh had been set up in 1995 to promote Tamazight and establish it as a foundation of national identity; the Government had subsequently introduced a number of measures to help achieve those goals.

4. **Ms. Chand** (Fiji) said that the indigenous people of her country, the iTaukei, were the majority in the population. The land, fishing and mineral rights of the indigenous community were protected by a constitutional guarantee protecting iTaukei land, which made up over 90 per cent of all land in Fiji, and any indigenous land acquired by the State for public purposes would revert to iTaukei ownership once no longer required by the State.

5. The national relocation policy for iTaukei communities forced to move due to climate change safeguarded indigenous rights to land use, food security, cultural rights, customary fishing rights and the protection of traditional grave sites. Fiji stressed the need for sensitivity in balancing the rights of an indigenous majority with those of minorities. Indigenous rights could not be used to justify a monopoly over power or create a community of privilege.

6. **Mr. Neow Choo Seong** (Malaysia) said that the country's five-year plan covering 2016 to 2020 included measures to provide the indigenous community with greater access to quality health care and education. The Government had also developed an inclusive national strategic plan aimed at improving the indigenous community's socioeconomic status and quality of life, while also protecting its heritage. Income-generating programmes and commercial agricultural activities to further reduce poverty in indigenous communities had also been introduced. Development needs should be balanced with the protection of indigenous rights through a holistic approach involving all stakeholders.

7. **Mr. Taula** (New Zealand) said that seeking and maintaining effective relationships with the indigenous guardians of ancestral lands was critical to the enhanced conservation of natural resources and cultural heritage. The ongoing settlement of treaty claims had led to innovative approaches to the management of natural resources based on indigenous tradition, mutual good faith, cooperation and respect.

8. New Zealand welcomed the recent adoption of Human Rights Council resolution 33/25 to strengthen the mandate of the Expert Mechanism on the Rights of Indigenous Peoples and the widening of the membership of the Expert Mechanism to cover all seven indigenous sociocultural regions, but considered that United Nations work in this area must be properly funded. Specific attention and action were needed for the most marginalized, indigenous girls and indigenous persons with disabilities.

9. **Mr. Duarte** (Brazil) said that new rules recognizing traditional indigenous peoples' institutions and leadership arrangements were needed as current arrangements equating indigenous bodies to non-governmental organizations were not always appropriate. Geographical balance would be a main criterion for the allocation of places for indigenous representatives in any United Nations meeting and should also inform the work of the Voluntary Fund for Indigenous Peoples.

10. Brazil's National Council for Human Rights had been established in 2014, and included a working group on the rights of indigenous peoples in southern Brazil. There were currently 462 demarcated indigenous lands, covering 12 per cent of Brazil's territory or over 1 million square kilometres, and 35 new indigenous lands covering 91,000 square kilometres had been demarcated between 2008 and 2016. The National Programme for the Protection of Human Rights Defenders was currently safeguarding 101 indigenous leaders.

11. There were over 3,000 indigenous schools in Brazil employing over 10,000 indigenous teachers and catering for nearly 240,000 students. The number of indigenous university students was over 22,000 and rising fast. Nine projects worth over $24 million had already been sponsored by the Amazon Fund, which had financed other sustainability projects at a cost of over $36 million on indigenous lands since 2008.

12. **Ms. Mainali** (Nepal) said that her country had over 125 ethnic groups, over 123 languages and 10 different religions. As a party to major human rights and International Labour Organization (ILO) conventions, including the Indigenous and Tribal Peoples Convention, 1989 (No. 169), Nepal attached the utmost importance to the protection and promotion of indigenous peoples, their cultures and ways of life. Its new Constitution prioritized the inclusion of all people; it guaranteed indigenous peoples' participation in decision-making processes and provided for the preservation of their traditional knowledge, skills and cultures. In Nepal an indigenous nationalities commission was responsible for safeguarding indigenous peoples' rights and interests. The Government had recognized all mother tongues spoken in the country as national languages. The 2015 Report of the Special Rapporteur on the rights of indigenous peoples referred to an event which had happened in 2009, and which was irrelevant in the changed context. Her Government was strongly committed to eliminating sexual violence, as well as all forms of discrimination against indigenous peoples and the unlawful acquisition of land.

13. Her Government had adopted a rights-based, inclusive approach to governance and development, with laws ensuring that all sectors of society, including indigenous peoples, were represented in the national public administration and political leadership. Forty-five per cent of public service vacancies were reserved for underrepresented groups, namely women, ethnic minorities, Dalits, Madhesis, people from remote areas and the disabled. The law established that a minimum of 35 per cent of local governments' development budgets must be allocated to programmes for indigenous groups. The Government was integrating the 2030 Agenda for Sustainable Development into its national plans, policies and programmes, with a particular focus on marginalized groups. Nepal stood ready to fulfil its commitment to improving the lives of indigenous peoples, and called upon the international community to strengthen cooperation in order to better integrate indigenous peoples' issues into the international development agenda.

14. **Ms. Mucavi** (Food and Agriculture Organization of the United Nations (FAO)) said that 80 per cent of the world's biodiversity was found in indigenous peoples' territories, which accounted for only 20 per cent of the world's land. Indigenous peoples' traditional knowledge could offer many answers to current and future food challenges. Indigenous peoples should not be forcibly displaced; such displacement affected not only them, but also biodiversity. Since its adoption of the FAO Policy on Indigenous and Tribal Peoples, 2010, FAO had taken action to ensure respect for indigenous peoples' rights, and their full participation in the development process and in efforts

to combat climate change and food insecurity. It had also had supported the development of national indigenous peoples action plans in Latin American countries such as El Salvador, Paraguay and Honduras.

15. FAO had recently published a manual entitled "Free, Prior and Informed Consent: An indigenous peoples' right and a good practice for local communities", the product of a collaboration with different international agencies which had been developed in consultation with indigenous communities. The manual outlined the steps involved in a development project and emphasized inclusion of traditional leaders, women and youth in decision-making processes. FAO was developing tailored training for regional and national stakeholders on implementing its guidelines. Member States were invited to inform FAO if they were interested in becoming involved with the initiative. FAO was committed to promoting the rights of indigenous peoples to ensure that the 2030 Agenda was a success and build a world that left no one behind.

16. **Mr. Cassidy** (International Labour Organization (ILO)) said that the inclusion of provisions on the promotion and protection of the rights of indigenous peoples in the 2030 Agenda and the Paris Agreement should enable countries to more effectively pursue targeted policies to tackle indigenous groups' persistent poverty and secure their communities' rights. However, there were significant gaps with regard to recognition of indigenous peoples, protection of their rights, their inclusion in public policies and decision-making processes, and recognition of their contributions to protecting the environment and sustainable development. Such gaps had serious consequences, including loss of access to lands and natural resources, loss of livelihoods, lack of access to social protection and health care, dependence on the informal economy, and vulnerability to forced labour. Indigenous peoples bore the brunt of the effects of climate change, and they also had a fundamental role to play in combating it because their ways of life were closely intertwined with nature. Indigenous peoples' economic activities were grounded in a sustainable model. Public policies needed to respond to that connection by supporting indigenous people to innovate, build enterprises or cooperatives, or enhance their income-generating activities.

17. The ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) supported the role of indigenous peoples as meaningful partners in environmental conservation by providing a framework for protecting their rights and ensuring their access to decent work. Inclusive social protection systems could help to promote indigenous peoples' rights, while also reducing poverty and helping to protect the environment. The ILO 2015 strategy on indigenous peoples, currently being implemented in 11 countries across Latin America, Africa and Asia, was designed to, inter alia, ensure indigenous peoples' access to decent work and strengthen relevant institutional dialogue. Making a success of the 2030 Agenda required a rights-based approach, recognition of indigenous peoples' contribution to the environment and sustainable development, and capacity-building for national stakeholders.

18. **Mr. Tituaña Matango** (Ecuador) said that building and consolidating an intercultural and plurinational State was a national priority. In order to ensure respect for indigenous peoples' rights, achieve equality and eliminate discrimination, in 2014 his Government had established four National Councils for Equality, one of which was dedicated to indigenous peoples and nations. Through it, the Government sought to guarantee indigenous peoples' rights to maintain and develop their identities, ancestral traditions and social structures; ensure that they did not suffer any kind of discrimination on the basis of their ethnicity or cultural identity; and compensate groups affected by any such discrimination.

19. As part of the national transformation process, the Government had created affirmative action programmes targeted to peoples and nations who had been historically excluded and systematically discriminated against, designed, inter alia, to strengthen social inclusion and increase their access to jobs, education and health services. Measures that enhanced the participation of indigenous peoples and nations in politics and decision-making, such as the appointment of a group of young indigenous women to the national foreign service in 2012, were important. The international community should support efforts to preserve indigenous languages, as their disappearance implied a devaluing of defining cultural practices and an irreparable loss of unique knowledge.

20. The advances made at the World Conference on Indigenous Peoples were welcome, as was the decision of the Bureau of the Commission on the Status of Women to adopt as the theme of its sixty-first session the empowerment of indigenous women. The progress with regard to the participation of indigenous peoples in United Nations meetings on topics that affected them was equally encouraging. His Government was a firm believer in the transformative power of joint action to meet the needs of peoples and nations. With collective effort, real climate justice could be achieved.

21. **Ms. Anichina** (Russian Federation), speaking in exercise of the right of reply, said that her delegation was bound to respond to the unfounded statement made by the representative of Ukraine. Crimean Tatars were on an equal footing with all other Russians; their rights were upheld by Russian legislation in accordance with international human rights instruments. All rights violations were thoroughly investigated and perpetrators were held to account. The Ukrainian Government had ignored infringements of Tatars' rights for over 20 years — even when the lack of legislative and political measures to protect Tatars' rights had been highlighted by human rights treaty bodies. Difficulties faced by Ukrainian Tatars included problems obtaining Ukrainian nationality, authorities' unwillingness to look into ethnically motivated crimes against them and an inability to use the Ukrainian Tatar language in court. The Government of Ukraine had opportunistically become an active advocate of Ukrainian Tatars' rights for political ends.

22. **Mr. Yaremenko** (Ukraine), speaking in exercise of the right of reply, said that the television channel Russia Today made it clear that the Government of the Russian Federation existed in a parallel reality. Quoting the June 2016 report on the human rights situation in Ukraine issued by the Office of the United Nations High Commissioner for Human Rights, an impartial entity, he said that in the two years following the extension by the Russian Federation of its jurisdiction over Crimea the human rights situation there had seriously deteriorated, with Russian Federation laws imposed on the population of the peninsula and fundamental freedoms curtailed.

The meeting rose at 3.55 p.m.